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9
10 UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF WASHINGTON
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 BRIAN RICHARD GLIDDEN,

17 Defendant.

Case No. 2:21-CR-00073-RMP

United States' Sentencing
Memorandum

18 Plaintiff, United States of America, by and through Vanessa R. Waldref,
19 United States Attorney for the Eastern District of Washington, and Dominique Juliet
20 Park, Assistant United States Attorney for the Eastern District of Washington,
21 hereby submits this sentencing memorandum. For the reasons outlined below, the
22 United States requests that the Court sentence Brian Richard Glidden (hereinafter
23 "Defendant") to a 15-month term of imprisonment and a three-year term of
24 supervised release.

25 **SENTENCING CALCULATION**

26 i. Base offense level & enhancements

27 The United States agrees that Defendant's base offense level is 14 under
28 USSG §2K2.1(b)(6)(A). PSIR ¶ 26. The United States agrees that given the

1 explanation in paragraph 27 of the Presentence Investigation Report (“PSIR”), there
2 is no four-level increase as contemplated in the plea agreement. PSIR ¶ 27.

3 The United States agrees that Defendant qualifies for acceptance of
4 responsibility under USSG §3E1.1(a). PSIR ¶ 33. These calculations bring
5 Defendant’s total adjusted offense level to 12. PSIR ¶ 34.

6 The United States agrees that Defendant’s criminal history score is 6 with a
7 resultant criminal history category (“CHC”) of III. PSIR ¶ 115-16. Based on a total
8 adjusted offense level of 12 and CHC III, the corresponding advisory sentencing
9 guideline range is 15 to 21 months of imprisonment. PSIR ¶ 143.

10 **SENTENCING RECOMMENDATION**

11 In determining what sentence to impose, the Court should consider the factors
12 enumerated in 18 U.S.C. § 3553(a). The United States outlines below those factors
13 most pertinent to Defendant.
14

15 i. **The nature and circumstances of the offense and the history and**
16 **characteristics of Defendant**

17 The underlying circumstances of the charged offense, unlike many instances
18 of felon in possession of a firearm, are serious and violent. As noted in the PSIR,
19 Defendant came to the attention of law enforcement on May 9, 2021 because of a
20 domestic violence incident that involved a firearm. PSIR ¶ 13-14. Specifically,
21 Defendant became intoxicated and belligerent toward his wife, who attempted to
22 “escape the situation by locking herself in the bathroom,” while he followed her
23 around the house with a loaded firearm. PSIR ¶ 12-13, 16-17. Defendant,
24 nonetheless, pursued his wife into the bathroom by punching a hole through the door
25 to gain entry, and thereafter, pushed her into the bathtub. PSIR ¶ 13. From the
26 bathroom, Defendant and his wife made their way into the bedroom where they
27 continued to struggle over the firearm. PSIR ¶ 14. At some point, the firearm, which
28 was loaded, discharged into a mattress. PSIR ¶ 14. Given the circumstances,

1 Defendant and his wife were fortunate to have walked away from the incident
2 without further injury.

3 Defendant's criminal history is also quite serious. According to the PSIR,
4 Defendant began accumulating criminal history and associated convictions at the
5 age of 18 for the crime of Taking Vehicle Without Permission (1990), and just a few
6 years later, Interfering with Police Officer (1994), and Second Degree Possession of
7 Stolen Property (1995). PSIR ¶ 40-45. Thereafter, Defendant continued to
8 accumulate convictions with increasing degrees of associated jail-time and/or
9 prison-time. PSIR ¶ 48-111. Defendant is now 48-years-old.

10 Notwithstanding this criminal history, and the knowledge that he is prohibited
11 from possessing a firearm, Defendant possessed a loaded firearm on May 9, 2021
12 and used it to terrorize his wife in the above described domestic violence incident.
13 Further, as the PSIR notes, Defendant around that time possessed not only one
14 firearm, but in fact, two. PSIR ¶ 19. Less than a month later after Defendant's arrest,
15 law enforcement learned about this second firearm when Defendant's wife came
16 forward with information. PSIR ¶ 19.

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18 ii. The need for the sentence imposed to reflect the seriousness of the
19 offense, promote respect for the law, and to provide just punishment;
20 and to protect the public; the need for the sentence to afford adequate
21 deterrence to criminal conduct

22 The underlying circumstances of the charged offense, along with Defendant's
23 history and characteristics, necessitates a sentence that promotes respect for the law,
24 provides just punishment, protects the public, and affords adequate deterrence to
25 criminal conduct as relates to Defendant and others who may be inclined to engage
26 in similar criminal activity. The United States submits that a term of imprisonment
27 at the low end of the applicable advisory guideline range adequately addresses these
28 concerns. Defendant readily admitted to possessing a firearm at the time of his arrest

1 on May 9, 2021. PSIR ¶ 17. Further, Defendant promptly admitted his guilt in this
2 current matter on September 21, 2021 after being brought into federal custody
3 pursuant to a writ on August 3, 2021. PSIR ¶ 2-3. Defendant has remained in federal
4 custody since August 3, 2021, and at the time of sentencing, will have accumulated
5 more than six months' imprisonment. Should the Court impose a 15-month term of
6 imprisonment, a sentence of this length will fairly reflect the seriousness of
7 Defendant's conduct thereby promoting respect for the law. A sentence of 15
8 months' imprisonment also serves to send a deterrent message to the community
9 and to Defendant that prohibited possession of a firearm is a serious offense with
10 accompanying penalties that are intended to protect the public.
11

12 CONCLUSION

13 For the above reasons, the United States requests that the Court sentence
14 Defendant to a 15-month term of imprisonment and a three-year term of supervised
15 release. The United States submits that this proposed sentence is sufficient, but not
16 greater than necessary, to accomplish the goals of 18 U.S.C. § 3553(a).
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18 Respectfully submitted,

19 Vanessa R. Waldref
20 United States Attorney

21 s/ Dominique Juliet Park
22 Dominique Juliet Park
23 Assistant United States Attorney
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CERTIFICATE OF SERVICE

I, Dominique Juliet Park, hereby certify that on January 18, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Lorinda Meier Youngcourt, Assistant Federal Defender

Lorinda_Youngcourt@fd.org

s/ Dominique Juliet Park

Dominique Juliet Park

Assistant United States Attorney